



MAR 11 2008

Michael J. Jaro, Esq.  
Chief Patent Counsel  
Medtronic Vascular  
3576 Unocol Place  
Santa Rosa CA 95403

Re: Patent Term Extension  
Application for  
U.S. Patent No. 6,159,229

ACKNOWLEDGMENT OF WITHDRAWAL OF APPLICATION FOR  
PATENT TERM EXTENSION

This is in response to the "Withdrawal of Application for Extension of Patent Term," filed February, 11, 2008, of the application for patent term extension for U.S. Patent No. 6,159,229, (S8 Over-the-Wire System).

The withdrawal of the application is hereby acknowledged and the application is dismissed.

Any correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Hatch-Waxman PTE  
P.O. Box 1450  
Alexandria, VA 22313-1450

By FAX: (571) 273-0100

Telephone inquiries related to this determination should be directed to the undersigned at (571) 272-7755. E-mail inquiries should be directed to [mary.till@uspto.gov](mailto:mary.till@uspto.gov).

Mary C. Till  
Legal Advisor  
Office of Patent Legal Administration  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: Office of Regulatory Policy  
Food and Drug Administration  
10903 New Hampshire Ave., Bldg. 51, Rm. 6222  
Silver Spring, MD 20993-0002

RE: S8 Over-the-Wire System  
FDA Docket No.: 2004E-0206

Attention: Beverly Friedman

DATE: 3-11-08

APPLICATION NUMBER: 09/189743

DOC CODE: TERM. WD

DOC DATE: 2-11-08

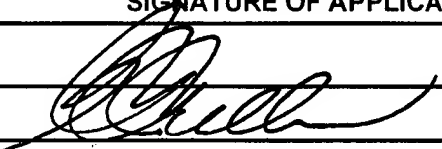
**DELIVER THE ATTACHED FILE/DOCUMENT TO THE TC  
SCANNING CENTER**

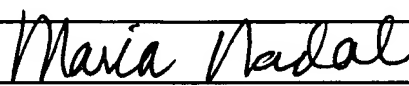
**CONTRACTOR: THE ATTACHED FILE/DOCUMENT MUST BE  
INDEXED AND SCANNED INTO IFW WITHIN 8 WORK HOURS;  
UPLOADING OF THE SCANNED IMAGES SHOULD OCCUR NO  
LATER THAN 16 WORK HOURS  
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ACCORDANCE WITH INSTRUCTIONS**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>	Application Number	Pat No. 6,309,402	<b>RECEIVED</b>  <b>FEB 15 2008</b>  <b>OFFICE OF PETITIONS</b>
	Filing Date	October 30, 2001 (Issued)	
	First Named Inventor	Bradley A. Jendersee et al.	
	Art Unit		
	Examiner Name	Michael Buiz	
(to be used for all correspondence after initial filing)		Attorney Docket Number	19 51288-00070
Total Number of Pages in This Submission		28+	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD  <div style="border: 1px solid black; padding: 2px;">Remarks</div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Election of U.S. Pat. No. 6,309,402 for Extension (1 pg); Copy of U.S. Pat. 6,309,402 (13 pgs); Withdrawal of Application for Extension of Patent Term for U.S. Pat Nos. 5292331; 5800509; 5836965; 5879382; 5891190; 6159229; and 6344053 (14 pgs); and Postage paid postcard
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature		
Printed name	Louis C. Cullman	
Date	2/11/08	Reg. No. 39645

CERTIFICATE OF EXPRESS MAIL - EM 051046341 US		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Maria Nadal	Date 2/11/08

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**U.S. Patent No. : 6,159,229**  
**Granted : December 12, 2000**  
**Patentees : Bradley A. Jendersee *et al.***  
**Assignee : Medtronic Vascular, Inc.**  
**Title : Stent Delivery and Deployment Method**

**RECEIVED**

Mail Stop Hatch-Waxman PTE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FEB 15 2008**

**OFFICE OF PETITIONS**

**Withdrawal of Application for Extension of Patent Term for USPN 6,159,229**

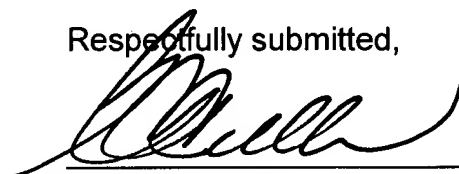
Commissioner for Patents:

The Applicant, MEDTRONIC VASCULAR, INC., in fulfillment of its requirements under 37 CFR §1.785 respectfully WITHDRAWS the Application for Extension of Patent Term for United States Patent Number (USPN) 6,159,229. This request for withdrawal is being submitted in duplicate as required by 37 CFR §1.770.

The Applicant, MEDTRONIC VASCULAR, INC., in fulfillment of its requirements under 37 CFR §1.785 previously ELECTED USPN 6,309,402 B1 for patent term extension pursuant to a Notice of Final Determination and Requirement for Election mailed January 11, 2008. A patent term extension period of 413 days was determined based on the regulatory review period of PMA P030009.

The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR §1.182 or 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 01-2525. If the Applicant can answer any questions associated with this WITHDRAWAL of Application for Extension of Patent Term please do not hesitate to call the undersigned at telephone number (949) 623-3559.

Respectfully submitted,



Louis C. Cullman  
Registration No. 39,645  
Attorney for Applicant

Medtronic Vascular, Inc.  
3576 Unocal Place  
Santa Rosa, CA 95403  
Facsimile No.: (707) 543-5420  
Customer Number 28,390